

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

NOV 29 2005

EULA BANKS, ET AL.

versus

TGF PRECISION HAIRCUTTERS, INC.

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CIVIL ACTION NO. H-05-3122

Michael N. Milby, Clerk of Court

**ORDER OF DISMISSAL**


The Court having been advised by counsel for the parties that an amicable settlement has been reached in this action, it is

**ORDERED AND ADJUDGED** that, pursuant to Fed. R. Civ. P. 41(a)(2), this cause is hereby **DISMISSED** on the merits without prejudice to the right of counsel to move for reinstatement of this action within ninety (90) days if settlement is not consummated.

**FURTHERMORE**, the Court shall retain jurisdiction to enforce the settlement agreement in its discretion upon an appropriate motion made within ninety (90) days of this Order. *Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375, 381-82, 114 S. Ct. 1673, 1677 (1994); *Bell v. Schexnayder*, 36 F.3d 447, 448-50 (5th Cir. 1994); and 298 F2d 424, *Hospitality House v. Gilbert*.

The Clerk shall enter this Order and provide a copy to all parties.

**SIGNED** on this 28<sup>th</sup> day of November, 2005, at Houston, Texas.

  
VANESSA D. GILMORE  
UNITED STATES DISTRICT JUDGE